

Practitioner's Docket No. MPI00-513P1RM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|---|------------|--------------------|
| In re application of: | Kapeller-Libermann, Rosana | | |
| Application No.: | 10/017,216 | Group No.: | 1652 |
| Filed: | October 23, 2001 | Examiner: | Maryam Monshipouri |
| For: | 13245, A NOVEL HUMAN MYOTONIC DYSTROPHY TYPE PROTEIN KINASE AND USES THEREFOR | | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed:

☐ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

☒ **After** three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. SECTION 1.8(a)

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Beverly Sotiropoulos

(type or print name of person certifying)

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☒ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

OR

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

FEE PAYMENT

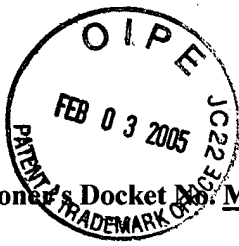
3. ☒ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☐ Applicant believes no fee is due in connection with this submission.

| | | | |
|--|--|----------|----------|
| | | Fee due | \$180.00 |
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If any additional fees are due, please charge Account 501668.

| | |
|-------------------------|---|
| <u>February 1, 2005</u> | MILLENNIUM PHARMACEUTICALS, INC. By <u>Tracy M. Sioussat</u> Tracy M. Sioussat, Ph.D. Registration No. 50,609 40 Landsdowne Street Cambridge, MA 02139 Telephone – (617) 374-7679 Facsimile – (617) 551-8820 |
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Form PTO/SB/08B (1 page)
3. ☒ Copies of Listed Information Items Accompanying This Statement (7 references)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

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02/07/2005 GWORDDF1 00000004 501668 10017216

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Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in PTO/SB/08B (substitute for Form PTO-1449) accompany this information statement.

February 1, 2005

MILLENNIUM PHARMACEUTICALS, INC.

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|--|---|-------------------------------|---------------------------|
| Substitute for form 1449B/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | Application Number | 10/017, 216 |
| | | Filing Date | October 23, 2001 |
| | | First Named Inventor | Rosana Kapeller-Libermann |
| | | Group Art Unit | 1652 |
| | | Examiner Name | M. Monshipouri |
| Sheet | 1 | of | 1 |
| | | Attorney Docket Number | MPI00-513P1RM |

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published. | T ² |
|--------------------|-----------------------|--|----------------|
| | C1 | "Novel Human Protein Kinase and Protein Kinase-Like Enzymes", 22 June 2001 (sequence) srs@EMBL-EBI [online], Hinxton, Cambridge, UK: European Bioinformatics Institute [retrieved on May 22, 2002]. Retrieved from the Internet search of EMBL databank: URL: http://srs6.ebi.ac.uk/ . EMBL Accession No. AX166567. | |
| | C2 | Madaule, P. et al., "Mus Musculus Citron, Putative rho/rac effector, mRNA, complete cds." 30 December 1995 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 31, 2005]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. U39904. | |
| | C3 | DiCunto, F. et al., "Mus Musculus rho/rac-interacting Citron Kinase (Crik) mRNA, complete cds." 11 November 1998 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 31, 2005]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AF086824. | |
| | C4 | Zhang, W. et al., "Rattus Norvegicus Postsynaptic Density Protein (Citron) mRNA, complete cds." 02 July 1998 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 31, 2005]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AF039218. | |
| | C5 | Nagase, T. et al., "Homo Sapiens mRNA for KIAA0949 Protein, Partial cds." 28 January 2005 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 31, 2005]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AB023166. | |
| | C6 | "oa56c11.r1 NCI_CGAP_GCB1 Homo Sapiens cDNA Clone IMAGE: 1308980 5', mRNA sequence" 27 January 1998 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 31, 2005]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AA746301. | |
| | C7 | Chahine, M. et al., "Myotonic Dystrophy Kinase Modulates Skeletal Muscle but not Cardiac Voltage-Gated Sodium Channels", FEBS Letters 412:621-624 (1997). | |
| | | | |

| | | | |
|---------------------------|--|------------------------|--|
| Examiner Signature | | Date Considered | |
|---------------------------|--|------------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²Applicant is to place a check mark here if English language Translation is attached.

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